

**REMARKS**

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the remarks herewith, which place the application into condition for allowance.

**I. STATUS OF THE CLAIMS AND FORMAL MATTERS**

Claims 1, 3, 4, 6, 7 and 9-13 are currently pending.

**II. REJECTIONS UNDER 35 U.S.C. §103(a)**

Claims 1, 3, 4, 6, 7 and 9-13 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over [www.microsoft.com/windows/windowsmedia/WM7/DRM/FAQ.aspx](http://www.microsoft.com/windows/windowsmedia/WM7/DRM/FAQ.aspx) (hereinafter, “DRM”).

As understood by Applicant, DRM relates to a digital rights management system that packages encrypted digital media files on an information recording medium (section “How does Windows Media DRM Work?”). Furthermore, DRM relates to the distribution of packaged files, the license acquisition process concerning the packaged files, and the playing of the packaged files.

Applicant respectfully submits that DRM is not prior art.

Applicant submits herewith a Statement by Applicant’s Attorney.

Applicant submits that, based on a review of the information disclosed on the DRM website that Microsoft updates its website several times each year with

additional information concerning its products. As a result, relying on a website printout of March 18, 2004 to teach or suggest features during 1999 would be erroneous by the Examiner. Applicant respectfully requests that the Examiner provide a specific date for each feature he believes was first shipped with the Windows Media product and not assume or determine that all the features presented in the March 2004 version of Windows Media were also present in the 1999 versions of Windows Media. Absent such a showing Applicant requests that the Examiner withdraw the rejection.

For the reasons stated above, Applicant submits that DRM is not prior art and that claims 1, 3, 4, 6, 7 and 9-13 are patentable.

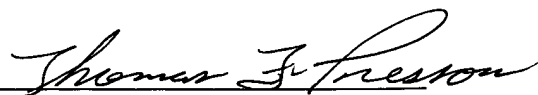
#### **CONCLUSION**

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing remarks and attached Statement, it is believed that all of the claims in this application are patentable and Applicant respectfully requests early passage to issue of the present application.

Respectfully submitted,

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